

Weil, Gotshal & Manges LLP

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March 13, 2014

The Honorable Shelley C. Chapman
United States Bankruptcy Judge
United States Bankruptcy Court
Alexander Hamilton Custom House
One Bowling Green
New York, New York 10004

Re: In re Lehman Brothers Holdings Inc., et al. – Case No. 08-13555 (SCC)

Dear Judge Chapman:

I write regarding that certain letter from Robert Dziedziech (the “Dziedziech Letter”) [ECF No. 43503], in which Mr. Dziedziech requests to join the objections of his former colleagues with respect to claims based on awards of restricted stock units, as those objections allegedly relate to claim number 13291 (the “Claim”), which was recharacterized as equity pursuant to that certain Order Granting Debtors’ One Hundred Eighteenth Omnibus Objection to Claims, dated June 3, 2011 (the “Order”) [ECF No. 17349]. The letter does not state a cognizable claim for relief, and it should therefore be disregarded in its entirety.

However, to the extent that the Dziedziech Letter is deemed to be a request to reconsider the Order and to recharacterize Mr. Dziedziech’s equity interest as a general unsecured claim, it is untimely and unfounded (at best). Mr. Dziedziech argues that he moved several times since the Debtors filed the One Hundred Eighteenth Omnibus Objection to Claims, dated April 6, 2011 (the “Objection”) [ECF No. 15666], and that he never received notice of the Objection. However, on or about April 6, 2011, the court-approved claims and noticing agent served notice of the Objection on Mr. Dziedziech via first class mail at Mr. Dziedziech’s last known address, at “1 Blore House, Coleridge Gardens, London SW10 0RB” (the “Blore House Address”). Attached hereto are the applicable pages of the Affidavit of Service of Pete Caris of Epiq Bankruptcy Solutions, LLC, dated April 13, 2011 [ECF No. 15939].

Rule 2002(g) of the Federal Rules of Bankruptcy Procedure provides that “[n]otices required to be mailed under Rule 2002 to a creditor . . . shall be addressed as such entity or an authorized agent has directed in its last request filed in the particular case.” Because notice of the Objection was sent to the most recent address provided by Mr. Dziedziech to the claims and notice agent, service of the Objection complied with Bankruptcy Rule 2002(g) and no basis exists for setting aside the Order.

Notably, the Dziedziech Letter provides no evidence of Mr. Dziedziech’s place of residence on April 6, 2011, other than to say that Mr. Dziedziech moved sometime in “late 2010.” In any event, Mr. Dziedziech has notified the claims and noticing agent of changes to his address no fewer than four times, including once in February 2010, and again in September 2011. Copies of those requests are attached hereto. As

of April 6, 2011, the last known address for Mr. Dziedziech was the Blore House Address. Accordingly, service of the Objection at that address was proper, pursuant to Bankruptcy Rule 2002.

If Mr. Dziedziech relocated between March 2010 and April 2011, he did not provide timely notification of that change to the claims and noticing agent. Moreover, it appears that Mr. Dziedziech did not arrange to have his mail forwarded to his new address(es) over the course of several relocations between 2009 and 2011. Any failure by Mr. Dziedziech to receive notice of the Objection is no fault of LBHI or the claims and noticing agent, but instead lies entirely with Mr. Dziedziech.

The Order was entered nearly three years ago, and Mr. Dziedziech's apparent request to reinstate the Claim is patently untimely and unwarranted. It goes without saying that claimants in these chapter 11 cases cannot be permitted to revisit final court orders without compelling justification – which is plainly not present here.

Accordingly, LBHI submits that Mr. Dziedziech's request should be summarily denied. Should the Court request further briefing on this matter, LBHI will, of course, proceed in accordance with the Court's direction.

Respectfully submitted,

/s/ Robert J. Lemons

Robert J. Lemons

cc: Robert Dziedziech
Horizons
Leatherhead Road
Oxshoot
Surrey, KT22 0ET
United Kingdom

Enclosures:

Affidavit of Service of Pete Caris of Epiq Bankruptcy Solutions, LLC, dated April 13, 2011
[ECF No. 15939] (excerpts)
Letter from Robert Dziedziech to Epiq Bankruptcy Solutions, dated February 17, 2010 (and
received March 2, 2010)
Email from Robert Dziedziech to Epiq Bankruptcy Solutions, dated September 6, 2011

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
	:
In re	:
	:
LEHMAN BROTHERS HOLDINGS INC., et al.,	:
	:
Debtors.	:
	:
-----X	

Chapter 11 Case No.
08-13555 (JMP)
(Jointly Administered)
Ref. Docket No. 15666

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

PETE CARIS, being duly sworn, deposes and says:

1. I am employed as a Noticing Coordinator by Epiq Bankruptcy Solutions, LLC, located at 757 Third Avenue, New York, New York 10017. I am over the age of eighteen years and am not a party to the above-captioned action.
2. On April 6, 2011, I caused to be served:
 - a. the “Notice of Hearing on Debtors’ One Hundred Eighteenth Omnibus Objection to Claims (To Reclassify Proofs of Claim as Equity Interests),” dated April 6, 2011, to which was attached the “Debtors’ One Hundred Eighteenth Omnibus Objection to Claims (To Reclassify Proofs of Claim as Equity Interests),” dated April 6, 2011 [Docket No. 15666], (the “118th Omnibus Objection”), and
 - b. a customized version of the “Notice of Hearing on Debtors’ One Hundred Eighteenth Omnibus Objection to Claims (To Reclassify Proofs of Claim as Equity Interests),” dated April 6, 2011, related to Docket No. 15666, a sample of which is annexed hereto as Exhibit A, (the “118th Omnibus Custom Notice”),

by causing:

- i. true and correct copies of the 118th Omnibus Objection, to be delivered via electronic mail to those parties listed on the annexed Exhibit B,
- ii. true and correct copies of the 118th Omnibus Objection, to be delivered via facsimile to those parties listed on the annexed Exhibit C,
- iii. a true and correct copy of the 118th Omnibus Objection, to be enclosed securely in a separate postage-prepaid envelope and delivered via overnight mail to Office of the US

Trustee, Tracy Hope Davis, Esq., Elisabetta G. Gasparini, Esq., Andrea B. Schwartz, Esq., 33 Whitehall Street, 21st Floor, New York, NY 10004, and

- iv. the 118th Omnibus Custom Notice, customized to include the name and address of the creditor and identification of the claim that is the subject of the objection, to be enclosed securely in separate postage pre-paid envelopes and delivered via first class mail to those parties listed on the annexed Exhibit D.
3. All envelopes utilized in the service of the foregoing contained the following legend:
“LEGAL DOCUMENTS ENCLOSED. PLEASE DIRECT TO ATTENTION OF ADDRESSEE, PRESIDENT OR LEGAL DEPARTMENT.”

/s/ Pete Caris
Pete Caris

Sworn to before me this
7th day of April, 2011
/s/ Sidney J. Garabato
Notary Public, State of New York
No. 01GA6218946
Qualified in New York County
Commission Expires March 15, 2014

EXHIBIT D

Claim Name	Address Information
DAPCEVIC, MILENA	FLAT 27 THE BAYNARDS 27 HEREFORD ROAD LONDON W2 4TQ UNITED KINGDOM
DAY, STEPHEN	52 MELWOOD HOUSE LONDON E1 2QX UNITED KINGDOM
DEBOST, CHARLES H.	85 EAST END AVENUE, #14E NEW YORK NY 10028
DEFLIN, BRADFORD A	245 JAMAICA LN PALM BEACH FL 334803321
DEL BALZO, LUDOVICO	23 PELHAM CRESCENT LONDON SWT 2NR UNITED KINGDOM
DEMASI, KATHLEEN M.	146 78TH STREET BROOKLYN NY 11209
DI VITO, RICHARD A.	116 MIDDLENECK RD PORT WASHINGTON NY 11050
DIEKE, RALF C	FLAT 2 197 QUEENS GATE LONDON SW7 5EU UNITED KINGDOM
DILENA, NICOLA	1 LUKE STREET, APARTMENT 101 LONDON E1 1ER UNITED KINGDOM
DOHERTY, JEFFREY P.	66 LEONARD ST APT 6C NEW YORK NY 10013
DOMENICI, HENRY VINCENT	24 SHADY ACRES ROAD DARIEN CT 06820
DONALD, CHARLES H	BURY COURT WHITE WALTHAM, BERKS SL6 3JF UNITED KINGDOM
DONZELLI, ANDREA	VIA UGO BASSI 3 ROMA 00152 ITALY
DOUGLAS, DAVID	CAZENOVE ASIA 50/F ONE EXCHANGE SQUARE CENTRAL HONG KONG
DOUGLAS, DOROTHEA	177-11 136TH AVE JAMAICA NY 11434
DRBUL, ROBERT S	111 E 85TH ST # 16D NEW YORK NY 10028
DUBOIS-PELERIN, VINCENT	79 ELMS ROAD LONDON SW4 9EP UNITED KINGDOM
DUPUIS, GERALD	SUITE 176, 2 OLD BROMPTON ROAD LONDON SW7 3DQ UNITED KINGDOM
DYNKIN, LEV	18 EMERSON DR. GREAT NECK NY 11023
DZIEDZIECH, ROBERT Z.	1 BLORE HOUSE COLERIDGE GARDENS LONDON SW10 0RB UNITED KINGDOM
EASTON, ALEX	60 CARLISLE COURT OLD BRIDGE NJ 08857
EINARSSON, MAGNUS P	7 NEW END LONDON NW3 1JD UNITED KINGDOM
EINBINDER, LEE J.	121 SQUIRE ROAD ROXBURY CT 06783
ELKINS, JAY S.	79 GRIFFEN AVENUE SCARSDALE NY 10583
ELLSWORTH, MICHAEL R.	10 CAYUGA WAY SHORT HILLS NJ 07078
ERSOFF, BRETT I.	C/O KLESTADT & WINTERS, LLP 292 MADISON AVENUE- 17TH FLOOR NEW YORK NY 10017
ERTAS, ILKER	40 FAYETTE RD SCARSDALE NY 10583
FABIO, LIOTTI	74 YORK MANSIONS PRINCE OF WALES DRIVE LONDON SW11 4BW UNITED KINGDOM
FAESSEN, WILCO	20 RIVER TERRACE APARTMENT 18K NEW YORK NY 10282
FAUCHEUX, LUC	5 STURGES HOLLOW WESTPORT CT 06880
FELDMAN, RICHARD M.	911 PARK AVE. NEW YORK NY 10075
FERGUSON, SCOTT ANDREW.	BUILDING 6, LEVEL 6 DIFC, POB 506535 DUBAI UNITED ARAB EMIRATES
FIGUS, MARCO C	VIA DI S VALENTINO 11 RM ROME 197 ITALY
FISCHER, TIMOTHY K.	55 E. 72ND STREET, APT. 12N NEW YORK NY 10021
FISK, ADRIAN	32 BALLINGDON ROAD LONDON SW11 6AJ UNITED KINGDOM
FLANAGAN, THOMAS E.	ONE DEER TRAIL ARMONK NY 10504
FLANAGAN, THOMAS E.	ONE DEER TRAIL ARMONK NY 10504
FLANNERY, JOSEPH J.	4951 NE 28TH AVE LIGHTHOUSE POINT FL 33064
FLEISCHMAN RICHMAN, SANDY	25 CENTRAL PARK WEST APT #6E NEW YORK NY 10023
FLINK, PETER	139 LAUREL LANE SYOSSET NY 11791
FORD, GENITA	9249 S. THROOP STREET CHICAGO IL 60620
FORD, JONATHAN	45 THE AVENUE LONDON NW6-7NR UNITED KINGDOM
FOX, STEPHEN	STEPHEN FOX 19 BINDEN ROAD LONDON W12 9RJ UNITED KINGDOM
FOX, STEPHEN	9 BLENHEIM ROAD LONDON W4 1UB UNITED KINGDOM
FRAENKEL, FRANCIS L.	812 FIFTH AVENUE, 7- B NEW YORK NY 10065
FROMMER, JACQUELINE	45 EAST 85TH ST. 4A NEW YORK NY 10028
FRONTINI, LORENZO	17 GILSTON ROAD LONDON SW10 9SJ UNITED KINGDOM
FUCHS, BENJAMIN A	30/F 2 IFC 8 FINANCE STREET HONG KONG
GALLO, JOHN F.	365 WEST END AVENUE APARTMENT 6C NEW YORK NY 10021

Ally

February 17, 2010

Dear Epiq Systems,

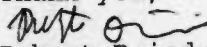
I am a former Lehman Brothers employee and have filed claim #13291 for deferred compensation. I have moved from the address that is currently listed on my claim as my contact address. Can you please change the address on my claim to the below address:

New Address:
1 Blore House
Coleridge Gardens
London
SW10 0RB
UK

To be clear, the new address is listed above and the old address (24 Benham House, Coleridge Gardens, London, SW10 0RD, UK) is the one that needs to be changed.

My other contact details email: bobd72@yahoo.com and phone number: +44 787 0659326 remain the same. Please feel free to reach me on either of the above if you have any questions.

Thank you,


Robert Dziedziech

LEPIQ BANKRUPTCY SOLUTIONS LLC

ATTN:
LEONARD BROTHERS HOLDINGS CORP
757 THIRD AVENUE
385 FLOOR
NY, NY 10017

USA

RECEIVED
MAR 2 2010

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DELIVERY CONFIRMATION

PRIORITY MAIL

Express

Royal Mail

For a fast and reliable service with electronic confirmation of delivery.

LY 4248 3759 3GB No sig req

LY 4248 3759 3GB No sig req

LY 4248 3759 3GB No sig req

AAX

Royal Mail

POSTAGE PAID UK
2302710 W15
2009 7-3415399-1



No Signature

Stauble, Christopher

From: Reyes, Debbie
Sent: Tuesday, September 06, 2011 1:48 PM
To: Rodriguez, Lauren
Cc: Bowdler, Angharad
Subject: FW: Change of Address for existing Claim

Follow Up Flag: Follow up
Flag Status: Flagged

Could you please handle the below address change request?

Thanks you,

Debbie Reyes
Project Manager
Epiq Systems
Class Action & Claims Solutions
Phone: 503-350-5912
www.epiqsystems.com

Managed technology for the global legal profession

From: robert dziedziech [<mailto:bobd72@yahoo.com>]
Sent: Tuesday, September 06, 2011 10:47 AM
To: DL-lehmancallcenter
Subject: Change of Address for existing Claim

Dear Epiq Systems,

I am a former Lehman Brothers employee and have filed claim #13291 for deferred compensation. I have moved from the address that is currently listed on my claim as my contact address (Address is 1 Blore House, Coleridge Gardens, London, SW10 0RB, UK). Can you please change it to: 13 Benham House, Coleridge Gardens, London, SW10 0RD, UK. Please contact me on this email or on my UK mobile (011 44 787 0659 326) if you have any questions?

Thanks,

Robert Dziedzich